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EXAMINER

PARTON, KEVIN S

ART UNIT PAPER NUMBER

2153

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/442,150

Applicant(s)

KRAFT ET AL.

Examiner

Kevin Parton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 08/07/2003 regarding the 35 USC 112 paragraph 2 rejections have been fully considered but they are not persuasive. Although the applicant describes in the arguments how the indefinite portions of the claim should be interpreted, the claim as written still contains the indefinite text. The rejection is ~~re~~^{is} stated ~~below~~^{below}.
2. Applicant's further arguments regarding the prior art rejections are moot in view of the new grounds of rejection below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 5, 6, 10-13, 15, 22, 23, 29, 30, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Enokida et al. (USPN 6,335,746).
5. Regarding claim 1, Enokida et al. (USPN 6,335,746) teach a system for processing search results obtained in response to a user query with means for:
 - a. Providing document pointers returned by a search engine to identify a source from which documents are available (column 11, lines 8-16).

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- b. Generating at least two visual abstracts for at least one of said documents, each of said visual abstracts being a thumbnail image of a different size (column 9, lines 23-26; column 9, line 65 – column 10, line 6).
- c. Formatting a stream of data such that when said data is displayed on a display screen regarding said at least one of said documents, a smaller one of said visual abstracts appears adjacent to a corresponding search result (figure 5).

Please note that according to the Microsoft Press Computer Dictionary, 'document' is defined to include a graphic (page 156).

- 6. Regarding claim 2, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 1. They further teach means wherein the visual abstract is generated after first manipulating the document so as to enhance a visibility of at least a portion of the document (column 9, line 65 – column 10, line 6).
- 7. Regarding claim 5, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 1. They further teach means for displaying a larger one of the visual abstracts on the display screen when requested by the user (column 9, line 65 – column 10, line 6).
- 8. Regarding claim 6, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 5. They further teach means for storing data relating to the larger one of the visual abstracts (column 9, line 65 – column 10, line 6). Note that image data is stored for all sizes of the thumbnail or visual abstract.
- 9. Regarding claim 10, Enokida et al. (USPN 6,335,746) teach a system for processing search results obtained in response to a user query with means for:

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- a. Examining document pointers returned by a search engine to identify a source from which documents are available (column 11, lines 8-16).
- b. Obtaining the documents from the source (column 11, lines 8-16).
- c. Generating a visual abstract for each of the documents, each visual abstract being a thumbnail image, each thumbnail image comprising a visual similarity of the document as reduced in size (column 9, lines 23-26).
- d. Formatting a stream of data such that when the data is displayed on a display screen, each visual abstract appears adjacent to a corresponding search result (figure 5).

10. Regarding claim 11, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 10. They further teach means for creating a larger visual abstract of at least one of the documents (column 9, line 65 – column 10, line 6).

11. Regarding claim 12, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 11. They further teach means for storing data relating to the larger one of the visual abstracts (column 9, line 65 – column 10, line 6). Note that image data is stored for all sizes of the thumbnail or visual abstract.

12. Regarding claim 13, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 11. They further teach means for displaying the larger one of the visual abstracts on the display screen on demand (column 9, line 65 – column 10, line 6).

13. Regarding claim 15, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 13. They further teach means for removing the larger one of the visual abstracts from the display (column 9, line 65 – column 10, line 6).

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14. Regarding claims 22 and 29, Enokida et al. (USPN 6,335,746) teach a system for searching for a document with means for:

- a. Supplying a search request (column 11, lines 8-10).
- b. Providing abstracts of documents on a screen display that correspond to the search request, the abstracts including a written summary and a first visual abstract of each of the documents (figure 5; column 9, lines 23-26).
- c. Creating a second visual abstract of one of the documents, each of the first visual abstract and the second visual abstract respectively being a thumbnail image of the document, wherein the second visual abstract is larger than the first visual abstract (column 9, line 65 – column 10, line 6).
- d. Displaying the second visual abstract when requested by a user (column 9, line 65 – column 10, line 6).

15. Regarding claim 23, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 22. They further teach means wherein the visual abstract is generated after first manipulating the document so as to enhance a visibility of at least a portion of the document (column 9, line 65 – column 10, line 6).

16. Regarding claim 30, Enokida et al. (USPN 6,335,746) teach a system for searching for a document comprising:

- a. A client (column 5, lines 23-27).
- b. A server (column 5, lines 23-27). Note that the storage can be external to the client.

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- c. The client system supplying a search request to the server system, the server system providing abstracts to the client system, the abstracts corresponding to the search request, the client system displaying the abstracts on a screen display, the abstracts including a written abstract and a first visual abstract of each of the documents, the server system creating a second visual abstract of one of the documents, each of the first visual abstract and the second visual abstract respectively being a thumbnail image of the document, the second visual abstract being larger than the first visual abstract when displayed on the screen display, the client system displaying the second visual abstract when requested by a user (column 11, lines 8-16; column 9, lines 23-26; column 9, line 65 – column 10, line 6)

17. Regarding claim 31, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 30. They further teach means wherein the visual abstract is created after manipulating a source document to enhance visibility of at least a first portion of the source document (column 9, line 65 – column 10, line 6).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 3, 4, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enokida et al. (USPN 6,335,746).

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20. Regarding claim 3, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claim 2) shows substantial features of the claimed invention, it fails to disclose specifically means wherein the manipulating is performed by filtering the document.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by referring to the manipulation of the documents as filtering. The creation of a thumbnail by definition filters portions of the document. The term filter applies to a large range of activities in image processing.

21. Regarding claim 4, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 3. They further teach means wherein the filtering is performed on an image in the document (column 9, lines 23-26). Note that in the reference, all filtering involves an image.

22. Regarding claim 27, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 22. They further teach means for storing data relating to the second visual abstract (column 9, line 65 – column 10, line 6). Note that image data is stored for all sizes of the thumbnail or visual abstract.

Although the system disclosed by Enokida et al. (USPN 6,335,746) shows substantial features of the claimed invention, it fails to disclose means wherein the second abstract data is stored in a cache database.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746).

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A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by storing the larger abstracts in a cache database. This benefits the system by allowing the larger abstracts to be removed after a time if they are no longer needed thus saving valuable space and not storing redundant data.

Cache storage is common in the art for any type of non-permanent data.

23. Regarding claim 28, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claim 27) shows substantial features of the claimed invention, it fails to disclose specifically means for deleting the data relating to the second visual abstract in the cache database after a predetermined amount of time.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by employing the disposal of the larger visual abstracts after a predetermined amount of time. Disposal of data from a cache after a predetermined amount of time is common in the art. It benefits the system by not using up valuable storage space on the larger visual abstracts that may not be needed permanently.

24. Claims 7-9, 14, 16, 25, 26, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enokida et al. (USPN 6,335,746) in view of Yang et al. (USPN 6,301,586).

25. Regarding claims 7, 14, 25, and 32, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claims 5, 13, 22, and 30, respectively) shows substantial features of the claimed invention, it fails to disclose means wherein the larger one of the visual

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abstracts is displayed on the display screen when a cursor (pointing device) is moved over the smaller one of the visual abstracts.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746), as evidenced by Yang et al. (USPN 6,301,586).

In an analogous art, Yang et al. (USPN 6,301,586) discloses a system for search and retrieval of image information with means wherein the larger one of the visual abstracts is displayed on the display screen when a cursor (pointing device) is moved over the smaller one of the visual abstracts (column 22, lines 19-24; column 27, lines 5-10).

Given the teaching of Yang et al. (USPN 6,301,586), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by employing the display of the larger abstract when the smaller one is "moused over". This is very well known in the art and benefits the system by allowing the user to get a larger view of the data that may be of greater interest without downloading the file.

26. Regarding claim 8, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 7. They further teach means for removing the larger one of the visual abstracts from the display screen (column 9, line 65 – column 10, line 6).

27. Regarding claims 9, 16, 26, and 33, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claims 8, 15, 25, and 32, respectively) shows substantial features of the claimed invention, it fails to disclose means wherein the larger one of the visual abstracts is removed from the display screen when the cursor (pointing device) is moved away from the smaller one of the visual abstracts.

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Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746), as evidenced by Yang et al. (USPN 6,301,586).

In an analogous art, Yang et al. (USPN 6,301,586) discloses a system for search and retrieval of image information with means wherein the larger one of the visual abstracts is removed from the display screen when the cursor (pointing device) is moved away from the smaller one of the visual abstracts (column 22, lines 19-24; column 27, lines 5-10).

Given the teaching of Yang et al. (USPN 6,301,586), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by employing the removal of the larger abstract when the smaller one is no longer “moused over”. This is very well known in the art and benefits the system by allowing the user to quickly free up screen space and move on to other thumbnails.

28. Claims 17, 18-21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enokida et al. (USPN 6,335,746) in view of Downs et al. (USPN 6,070,176).

29. Regarding claim 17, Enokida et al. (USPN 6,335,746) teach all the limitations as applied to claim 10. They further teach means for:

- a. Determining whether a portion of a source document should be enhanced for visibility (column 9, line 65 – column 10, line 6).
- b. Manipulating the source document determined to have a portion to be enhanced so that it is manipulated to improve a visibility and the manipulation includes filtering (column 9, line 65 – column 10, line 6).

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Although the system disclosed by Enokida et al. (USPN 6,335,746) shows substantial features of the claimed invention, it fails to disclose means wherein visibility of one portion is enhanced while visibility of another portion is degraded.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746), as evidenced by Downs et al. (USPN 6,070,176).

In an analogous art, Downs et al. (USPN 6,070,176) discloses a system for displaying search results wherein visibility of one portion is enhanced while visibility of another portion is degraded (figure 3).

Given the teaching of Downs et al. (USPN 6,070,176), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by enhancing one portion of the document while degrading another. This benefits the system by allowing the user to more clearly see identifying features of a document.

30. Regarding claim 18, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claim 17) shows substantial features of the claimed invention, it fails to disclose specifically means wherein the filtering is performed on an image in the source document.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746).

A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by referring to the manipulation of the documents as filtering. The creation of a thumbnail by definition filters portions of the document. The term filter applies to a large range of activities in image processing.

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31. Regarding claims 19 and 24, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claims 17 and 23, respectively) shows substantial features of the claimed invention, it fails to disclose means wherein the first portion of the source document to be enhanced corresponds to at least one of a title and a heading of the source document.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746), as evidenced by Downs et al. (USPN 6,070,176).

In an analogous art, Downs et al. (USPN 6,070,176) discloses a system for displaying search results with means wherein the first portion of the source document to be enhanced corresponds to at least one of a title and a heading of the source document (figure 3).

Given the teaching of Downs et al. (USPN 6,070,176), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by employing the enhancement of the title of the document. This benefits the system by allowing the user to see the title as an identifier.

32. Regarding claim 20, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claim 19) shows substantial features of the claimed invention, it fails to disclose means wherein one of the title and heading is enlarged as compared with a portion of the source document.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746), as evidenced by Downs et al. (USPN 6,070,176).

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In an analogous art, Downs et al. (USPN 6,070,176) discloses a system for displaying search results with means wherein one of the title and heading is enlarged as compared with a portion of the source document (figure 3).

Given the teaching of Downs et al. (USPN 6,070,176), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by employing the enhancement of the title of the document. This benefits the system by allowing the user to see the title as an identifier.

33. Regarding claim 21, although the system disclosed by Enokida et al. (USPN 6,335,746) (as applied to claim 20) shows substantial features of the claimed invention, it fails to disclose means wherein the second portion of the source document corresponds to a body of text of the source document.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Enokida et al. (USPN 6,335,746), as evidenced by Downs et al. (USPN 6,070,176).

In an analogous art, Downs et al. (USPN 6,070,176) discloses a system for displaying search results with means wherein the second portion of the source document corresponds to a body of text of the source document (figure 3).

Given the teaching of Downs et al. (USPN 6,070,176), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Enokida et al. (USPN 6,335,746) by employing the enhancement of the title of the document. This benefits the system by allowing the user to see the title as an identifier.

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Conclusion

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the following:

- a. Sciammarella et al. (USPN 5,982,369)
- b. Czerwinski et al. "The Contribution of Thumbnail image, Mouse-over Text and Spatial Location Memory to Web Page Retrieval in 3D"


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton
Examiner
Art Unit 2153

ksp



Dung C. Dinh
Primary Examiner